

MINUTES OF TOWN OF HULL BOARD MEETING
COUNTY OF PORTAGE WISCONSIN
HELD ON MONDAY APRIL 8, 2013

- 1) Call to order by Chairperson John Holdridge at 5:30 p.m. at the Town Municipal Building, 4550 Wojcik Memorial Drive, Stevens Point WI 54482.

Present: Chairperson Holdridge, Supervisor Melvin Bembenek, David Pederson, Dave Wilz and LaVerne Syens.

Others present: Clerk Janet Wolle, Treasurer Jim Kruziki, Road Foreman Pete Kaminski, Fire Chief Mark Kluck and EMS President/Administrator Mark Fritsche.

- 2) Pledge of Allegiance
- 3) Minutes February 4, 25, and March 4, 2013

Motion Supervisor Wilz, second Supervisor Syens, **approve as corrected minutes of the February 4, 2013 meeting.**

David Pederson – Question page 2 relating to sale of baseball type caps sold to firefighters – are the funds pass through, then appearing in revenue?

Mark Fritsche – the cost of the caps comes from FD Raffle Misc – upon receipt of money from the firefighters the funds go back in to the Raffle Misc account.

Mel Bembenek:

Excused: Supervisor Mel Bembenek.

Motion Supervisor Wilz, second Supervisor Syens, convene in closed session.

~~Bembenek~~—Aye

Holdridge – Aye

Pederson – Aye

Syens – Aye

Wilz – Aye

Motion Supervisor Pederson, second Supervisor Wilz, reconvene in open session.

~~Bembenek~~—Aye

Holdridge – Aye

Pederson – Aye

Syens – Aye

Wilz – Aye

Motion carried unanimously.

Motion Supervisor Wilz, second Supervisor Syens, **approve minutes of the February 25, 2013 meeting.** Motion carried unanimously.

Motion Supervisor Wilz, second Supervisor Syens, **approve as corrected minutes of the March 4, 2013 meeting.**

Page 5 Paragraph 10 J Holdridge – so we would increase ~~he~~ **her** salary per month by \$54 and out of that you would take social security and Medicare

Motion carried unanimously.

4) Vouchers

Dave Wilz:

Page 1 Cardmember Services – does this automatically transcribe? \$288

J Wolle – No, that's the name of the equipment (Dictating/Transcribing System)

D Wilz - is this a replacement?

J Wolle – yes.

Pg 2 Cardmember Services

Wind Cylinder Repair - \$175.66

P Kaminski – 1 for the 2007 Sterling the other for the 2002 Sterling

Cargill, Inc. – Bulk Salt \$7382.93

P Kaminski – salt we have to buy in advance.

Pg 4 Midstate Lock & Safe \$322.90

M Kluck – 2 automatic door locks – doors locked at all times – keys necessary to open.

David Pederson:

Page 2 Cardmember Services & Pg 5 Truck Equipment Inc. Auger Motor - \$531.73

Pg 5 item \$0 out

P Kaminski – yes

Pg 1 Batteries Plus – 6V Lead Battery \$26.95

M Kluck – batteries for floodlight handheld flashlight

Bushman Electric – 11” White Reflective \$68

M Kluck – new letters on tankers

California Contractor – LED ultra bright cordless \$179.80

P Kaminski – rechargeable shop lights

Pg 3 Gremmer & Associates \$89 What advising?

J Holdridge – had Dave Glodowski attend a meeting with Joel Lemke at the Stevens Point Water Department.

Pg 4 Mid-American Research - Hot Shot 05 \$117.41

P Kaminski – Soap to wash trucks

Oshkosh Fire & Police – Leather Boot Power \$229

M Kluck – have a new member who wears a size 14

Pg 5 Scaffidi Motors – Repairs/Maint. For Ford F55

M Kluck – Change fuel filter

D Pederson – can't that be done in house?

M Kluck – was told they had a clogged filter due to blend of diesel fuel

P Kaminski – haven't changed the type of diesel fuel PVC value

M Kluck – all oil changes canceled due to lack of budget in 2012

Sensit Technologies – Repair pump assembly \$534.96

M Kluck – CO pump repair – had to be sent in

P Kaminski – change oil in trucks every 3,000 miles at a cost of approximately \$150 – filters are not cheap

Motion Supervisor Bembenek, second Supervisor Pederson, **approve the vouchers as presented and discussed.** Motion carried unanimously.

- 5) Citizens wishing to address the board non-agenda items.
No one present regarding non-agenda items.
- 6) Topics, Issues, Opinions of Interest – Citizens, Hull Staff, Hull Elected or Appointed Officials
J Holdridge:
 - Annual Meeting Tuesday April 16 at 6 p.m.
 - Wisconsin Town's Association 2013 Town Officials Workshop in Stevens Point May 14 for new officials and continuing officials
 - Memo from Bill Murat, Chief of Staff for US Senator Tammy Baldwin
 - Issues & Trends “new normal” – right to work state
 - o D Pederson – means not required to pay union wages

D Wilz – first Parks Committee meeting Wednesday May 1, 2013

- 7) Reports
 - a. Clerk – No report
 - b. Treasurer – 1st quarter bank balances/designated reserves/undesignated reserves
 - i. Only change in reserve balances is decrease in interest rate from River Cities
 - c. Road Foreman – Barbara put together an itemized brochure for placement on branch/brush piles prior to pickup

- d. Fire Chief
 - Siren on top of station needs to be fixed (keeps freezing up)
 - Emergency government putting sirens in at county parks with camp grounds, this would include Jordan Park
 - National Weather Service has issued a flood watch from Tues April 9 through Thursday April 11
 - Talks relating to Metro – Hull has 11 days to make a decision. Tim Kluck of the Village of Plover has indicated they (Metro) will honor Hull's original letter to join

J Holdridge – Hull needs something in writing from the Village of Plover indicating they will accept Hull in to Metro.

- e. EMS President/Administrator

10 calls in March

L.Z. = landing zone

Concerned critical briefing

- County has system on large scale events for EMS
- F.D. talk with PC EMS Coordinator Michael Fraley or County Medical Timothy Vader and explain a debriefing is required

- 8) Public Hearing vacation of 33.01' x 1320' right-of-way in Section 4, Town 24N, Range 8E abutting Firkus Road

M Bembenek has reviewed statements from Hull's attorney regarding some of land being transferred to Jerry and Teri Koziczkowski – some of the cost may be required from Koziczkowski's. The taxpayers shouldn't be paying for vacation of the land to Koziczkowskis.

J Holdridge – the Plan Commission, Portage County Planning and Zoning and Town Board had numerous meetings regarding the property in question. The land was given by Jerry & Teri Koziczkowski and has been off the tax rolls since 1991.

M Bembenek – there have been \$362.00 in legal fees.

J Holdridge – there has been a barricade prohibiting citizens from using this public land. John Oberthaler would not dedicate another 33' to make this a 66' right-of-way.

Jerry Koziczkowski – a certified survey map was submitted to the town board in 1991 wouldn't be accepted by the town board as they (board) wanted a road. A second survey was done dedicating the land.

D Pederson – when John Oberthaler had a certified survey map done on his property the county didn't require an easement from him – now they would.

J Koziczkowski – believe it is the town's duty to pay for the expenses.

J Holdridge – John Oberthaler developed a road and paid for all of it. The fees from the attorney gave us a process for vacating roads.

M Bembenek – objecting to this due to taxpayer’s money involved.

D Pederson – now have a process for vacating roads. Don’t have to reinvent the wheel.

L Syens – when the Plan Commission met the cost of abandonment not brought up. Did not include requiring cost from Koziczkowski. The town board didn’t talk about cost. Determining procedure for vacating land was part of the legal costs.

D Wilz – financial not part of agenda. Also keep in mind the town collected road tax on this parcel.

Dan Hebbe – could Koziczkowski’s be subject to back taxes? Only fair to let them know up front if they are.

Board – they are not subject to back taxes.

Motion Supervisor Wilz, second Supervisor Syens, **adjourn (6:30 p.m.) the public hearing re vacation of road right-of-way Section 4, T24N, R8E, abutting Firkus Road.** Motion carried unanimously.

9) Selection of Vendor for 2013 Sweeping of Hull roads

Bids received April 5, 2013:

Fahrner Asphalt	\$11,375
Plover WI	

RJL Maintenance	\$ 8,075
Rhineland WI	

Precision Sealcoating Inc.	\$ 6,950
Princeton WI	

P Kaminski – talked with Town of Menasha and Town of Greenville, both of which are very satisfied with Precision Sealcoating, recommend Precision Sealcoating for sweeping of Hull roads.

Motion Supervisor Syens, second Supervisor Bembenek, **select Precision Sealcoating to do sweeping of Hull roads at a cost of \$6,950.** Motion carried unanimously.

10) Action on vacation of 33.01’ x 1320’ right-of-way in Section 4, Town 24N, Range 8E, abutting Firkus Road

Motion Wilz, second Supervisor Syens, **approve vacation of 33.01'x1320' strip of right-of-way in Section 4, Town 24N, Range 8E, abutting Firkus Road, to Jerry and Teri Koziczkowski.**

Motion carried unanimously.

11) April 2 Election, voter turnout, High School student participation, registration

913 Voters – 24% Statewide was 19.3%

J Wolle:

Ashley St. Aubin Clark – 16 year old from SPASH – was interviewed by a reporter from the Stevens Point Journal.

- ✓ Ashley is the second high school student Hull has had work at the polls – both the most excellent, personable students you can imagine and know there are more out there.
- ✓ I met Ashley after talking with Dan Hoppe, Social Studies Teacher and Student Senate Advisor at SPASH, who put out my request for an interested student on the SPASH Student Senate Facebook page. The first call I received after that posting was from a girl from either Lanark or Linwood (I referred her to the Town Clerk).
- ✓ Ashley will be 18 in June of 2014 and is anxious to work in February and April of 2014 as a high school student. I will be talking with Dan Hoppe again next year.
- ✓ The first high school student working at the polls was Tyler Vandre.
- ✓ A high school student working at the polls requires the written approval by the parents and the school principal – upon receipt of written permission I sign on as clerk

5 new registrations of which 4 were 18 year olds (parents came in with 2 of the registrants I saw, taking pictures while they registered and voted – not an unusual occurrence).

Motion Supervisor Bembenek, second Supervisor Pederson, **accept the report on April 2, 2013 election.** Motion carried unanimously.

12) Request by United Way for 2013 Walk/Bike Duathlon on Saturday August 24, 2013

Fred Hebblewhite of the United Way was present. Along with the Full Duathlon have added:

- Just for Fun Duathlon (event not timed)
- Kids' Duathlon (starts in Bukolt Park and continues on Old Wausau Road)

P Kaminski – don't mark roads with paint.

F Hebblewhite – a portion of both lanes will be closed on North Reserve or Jordan Road.

Pete Kaminski is Fred's contact at Hull as the event comes up in August and routes are clearly known (closed/not closed etc).

Motion Supervisor Wilz, second Supervisor Bembenek, **approve the request by United Way for 2013 Walk/Bike Duathlon on Saturday August 24, 2013.** Motion carried unanimously.

13) Update on remodeling of Hull Municipal Building and the function of the Town Municipal Building (Town Hall)

Jim Kruziki - M Bembenek talked with Jim regarding financing for the remodeling.

- ✓ Talked with 3 area banks: River Cities, Chase and BMO Harris
- ✓ Rates are 3 ¼% & 4¼%
- ✓ Presented scenarios of cost ranging from borrowing \$200,000 to \$500,000
 - Amount borrowed
 - Tax Levy per thousand based on assessed value of \$364,007,100
 - Tax increase based on \$100,000 assessed value
- ✓ 5, 10 & 15 year financing repayment and tax levy effect of borrowing

D Pederson – will make presentation at the Annual Meeting on April 16, 2013

J Holdridge: Function of Municipal Building:

- 1) Representative Democracy
- 2) Service Center
- 3) Staff Center
- 4) Voting Center
- 5) Community Center

D Pederson – in event of disaster the building could become an emergency center to take care of disaster.

J Holdridge – regarding the garage – a plan is to put a window in Pete’s office and we talked a little about the road crew having a meeting spot in the back by Pete’s office would be inexpensive.

Motion Supervisor Bembenek, second Supervisor Syens, **accept the report**. Motion carried unanimously.

14) 5- year budget plan proposal

Motion Supervisor Bembenek, second Supervisor Syens, **table action on the 5-year budget plan**. Motion carried unanimously.

15) Proposed changes to Employee Handbook including group health plan contribution by clerk or payment of contribution by town and modifications of some Handbook language

D Wilz – have met with road crew regarding changes to the Employee Handbook

- Another change since met relating to call-in time (which was accepted by the road crew)
 - Give authority to Road Foreman to have until 7 p.m. to talk with employees regarding start time for the next day without having to pay for call-in (time extended from 3 p.m.)

Motion Supervisor Bembenek, second Supervisor Syens, **approve the extended time for calling employees in from 3 p.m. to 7 p.m. without having to pay for call-in time.** Motion carried unanimously.

D Wilz – Clarification on Employee Medical Premiums

At the last board meeting, I was asked to get more clarification on the Employee portion of our Group Health Plan as it related to Janet Wolle. I did investigate it with two Group Health Insurance experts from the area. I explained everything to them. Both came up with the same conclusion.

Generally, all employees pay the same amount towards a “like” benefit. However, if there is a distinct class difference, then different amounts can be charged.

The attached document explains that. We certainly have a different class as it relates to Janet. She is an elected official and could be treated differently because of that. Our current handbook speaks to the fact that the benefits and policies in the handbook do not relate to elected officials, fire department etc.

So, we have options. We could charge her the same or we could leave everything the same.

- A couple of years ago thought created a gray area with clerk not paying any of the insurance premium
- A suggested solution. Have Janet contribute 5% (\$54.34/month) towards the premium cost as all the others do who participate in the benefit. Increase Janet’s wage by the cost of the 5% of the insurance, plus also consider adding the social security and Medicare tax to this increase. With this, she will pay her Medicare and social security on the increase and what’s left will be deducted for the cost of insurance. The only additional cost would be the social security and Medicare which would equate to approximately \$9.00 per month to the Town of Hull. (Employee and Employer Side)
- Increase of pay is the function of the citizens

Memo of 4/2/13 from Dave Wilz:

“At the last board meeting, I was asked to get more clarification on the Employee Portion of our Group Health Plan as it related to Janet Wolle. I did investigate it with two Group Health Insurance experts from the area. I explained everything to them. Both came up with the same conclusion.

Generally, all employees pay the same amount towards a “like” benefit. However, if there is a distinct class difference, then different amounts can be charged.

The attached document explains that. We certainly have a different class as it relates to Janet. She is an elected official and could be treated differently because of that. Our current handbook speaks to the fact that the benefits and policies in the handbook do not relate to elected officials, fire department etc.

So, we have options. We could charge her the same or we could leave everything the same.”

Attachment: With all of the recent talk about calculating the number of employees and determining whether they are subject to PPACA compliance, employers are more and more asking whether they have to worry about discrimination in their health plans. Under PPACA, IRS Code Section 105(h) will apply to insured health plans (like it always has for self-funded plans).

First, the IRS has issued two notices, 2010-63 and 2011-1, that address the timing of non-discrimination rules. The general rule is that compliance with this non-discrimination feature will not have to take place until AFTER regulations have been issued (which has not happened) and not until AFTER the beginning of a plan year AFTER the regulations are issued. So while January 1, 2014 is generally accepted as the date to expect this to go into effect, until there are regulations written, we can't say for certain when employers will have to comply or how they will have to revise their plans to comply.

Second, some practical questions:

1. Can I offer different plans to different classes of employees? Generally, yes. Under the current state of the law, you can continue to offer (or not offer) insured coverage to different class of employees. And you can make different classes of employees make different levels of contribution so long as you are dealing with an insured plan.
2. What will “discrimination” mean? The assumption is that the rules (when written) will require that a plan cannot favor highly compensated employees. It has to (1) benefit 70% or more of all employees, (2) benefit 80 percent or more of all employees who are eligible for benefits, or (3) benefit a group of employees set up by the employer as a class that are not highly compensated employees.
3. What is a highly-compensated employee? One of the 5 highest paid officers, a shareholder owning more than 10% of the stock or someone amongst the highest paid 25% of all employees. For most employers, look at the top 25% of your payroll and chances are, these will be “HCEs” for testing purposes.
4. Are there penalties for non-compliance? You bet. \$100 a day for every day an individual is discriminated against, which can get expensive if you discriminate against a large class of employees. The cap is \$500,000 which is a fairly hefty penalty.
5. What should I do now? The short answer is nothing because we don't have rules. But the practical answer is to look at your population and see who is eligible and who is not and then self-test to see if you would pass the current non-discrimination rules. If you fail, chances are you will fail once the rules are written. So plan ahead.

In a prior entry, I suggested that employers should keep doing what they are doing until they tell us otherwise. I think that is still the case, but with the caveat that you should at least know whether or not what you are doing now is going to create a potential problem. So prepare for a change, but before changing to comply with anything, check with your attorney at Fox Rothschild.

J Wolle – I was not at the meeting where the board voted to pay the entire premium for me. I learned about it the next day from Barb.

J Holdridge – with this plan single pay the same as family

- Clerk's position has full-time responsibility
- Gave pay to constituents

Motion Supervisor Syens, second Supervisor Pederson, **leave as is re: clerk no donation to health plan.** Motion carried unanimously.

Note from Clerk Wolle – for complete discussion regarding health premium for the clerk, please refer to minutes of the March 4, 2013 meeting

16) Support for reconstruction of North Second Drive and potential funding sources

J Holdridge:

- TRIP-D back in get half of the funding
- North Second Drive a priority road for reconstruction
- Previous numbers Hull had for reconstruction
 - o \$800,000 from city limits to County Road X
 - o DOT projected \$1,000,000 from Casimir Road to County Road X
- Will accommodate pedestrians

D Pederson – Woodview Drive is falling apart

D Wilz – no problem with making North Second Dr the priority.

Motion Supervisor Wilz, second Supervisor Syens, **make North Second Drive the next primary road project.** Motion carried unanimously.

17) Appointment to Public Safety Policy and Operation Board to oversee joint dispatch

Letter from Sheriff Charewicz dated March 4, 2013 and By-Laws of Portage County Public Safety Communication Policy and Operations Boards in entirety are attached to these minutes.

Motion Supervisor Bembenek, second Supervisor Pederson, **appoint Mark Kluck and Mark Fritsche to the Portage County Public Safety Policy and Operation Board to oversee joint dispatch. Pete Kaminski appointed as alternate if needed.** Motion carried unanimously.

18) Changes to emergency management by shifting some duties from Emergency Management to Portage County Planning & Zoning Department

As a result of an internal reorganization within Portage County the following duties and responsibilities have been transferred from the Portage County Emergency Management Department to the Portage County Planning and Zoning Department:

1. Review/Approval/Denial of new street names and new address ranges.

2. Review/Approval/Denial of street name changes.
3. Countywide address database maintenance. Please submit Address Information Forms to Rod Sutter, GIS/LIS Technician of Planning and Zoning Department
4. Issuance of Temporary Building Numbers. Temporary building numbers and number plates will be issued by the Planning and Zoning Department once the municipality assigns an address

Motion Supervisor Wilz, second Supervisor Syens, **accept the changes from PC Emergency Management Department to the Portage County planning and Zoning Department.** Motion carried unanimously.

- 19) Board of Review date – May 13, 2013 at 5:30 p.m.
Motion Supervisor Wilz, second Supervisor Pederson, **approve the date of May 13, 2013 for Board of Review – 5:30 p.m.** Motion carried unanimously.

- 20) Wisconsin proposed budget 2013-2015

J Holdridge – proposed budget by Governor Walker:

- From the WI Taxpayers Association:
 - o Wisconsin has least reserves in the nation with the exception of Arkansas
- From Wisconsin Town's Association Newsletter
 - o No proposal to raise fuel tax or license tax
 - o Cost per mile for General Transportation Aid to remain at \$2,117 per mile
 - o Wisconsin Towns Association arguing the mile per aid should be raised by \$50 per mile per annum for road aid
 - o TRIP-D back in at \$11.45 million
 - o Normal TRIP is at \$9 million
 - o General purpose (shared revenue) – no change
 - o Increase penalties for overweight vehicles
 - o Levy limit requirement to remain same
 - o Thought to take out all residency requirements for employees – may be well contested by municipalities with residency requirements especially relating to emergency personnel
 - o Looking at broad-band expansion

- 21) Adjournment: Motion Supervisor Pederson, second Supervisor Syens, **adjourn the meeting.** Motion carried unanimously. Meeting adjourned at 7:55 p.m.

Janet Wolle, Clerk